

CITY OF MUSKEGON
PLANNING COMMISSION
SPECIAL MEETING
MINUTES

June 25, 2003

P. Sartorius called the meeting to order at 4:02 p.m., and roll was taken.

MEMBERS PRESENT: T. Harryman, J. Aslakson, B. Mazade, S. Warmington, P. Sartorius, T. Johnson, B. Smith, T. Michalski, L. Spataro

MEMBERS ABSENT: B. Smith, excused; S. Warmington

STAFF PRESENT: D. Steenhagen, H. Griffith

OTHERS PRESENT: J. Boss, Sterling Group.

B. Mazade arrived at 4:04 p.m.

OLD BUSINESS

Hearing; Case 2003-22: Request to vacate the 274 linear feet of McLaren St. north of Wesley Ave., by the Sterling Group (tabled). D. Steenhagen presented the commission members with copies of e-mails from the Engineering, DPW, and Fire departments stating their conditions along with a letter from the Sterling Group. She read the conditions to the commission members.

J. Aslakson arrived at 4:05 p.m.

B. Mazade asked if the issues had been resolved. D. Steenhagen stated that they had. J. Boss agreed with all the conditions that the Engineering, DPW, and Fire departments had. He would also be willing to write the letter that was requested regarding fire suppression for all the buildings. T. Johnson asked if the new road (Sumner) would be a dedicated street. J. Boss stated that it would be. The street would be a 50-ft. ROW and by building the street to City code, he may be allowed to lower the setback requirements. They would also be rededicating the northern portion of McLaren Street to the City once the improvements were completed. B. Mazade asked for clarification that McLaren wouldn't be from Sumner to Wesley. J. Boss stated that was correct. J. Aslakson clarified that Sterling would be building Sumner with the northern portion of McLaren Street connecting to it and the southern portion between Sumner and Wesley would be vacated. J. Boss stated that was correct and that the new streets would be dedicated back to the City. T. Harryman asked since they are currently in the process of design development, why vacate the street now. J. Boss stated that when Findlay was working on this, the original plan didn't have the different grades right. He gave background of what they would need to do in order to get the land level since there are drops along the sides of the property. The State had already approved the 20 buildings that they proposed. T. Harryman asked if the reason was because of the number of units. J. Boss stated that the grade was also a problem. T.

Harryman stated that they could reduce the number of units instead and not vacate McLaren Street. J. Boss stated that the lift station would also be going where the vacated portion of McLaren Street is. T. Michalski asked why the vacation of the street couldn't wait until the regular meeting when the commission members would be looking at the PUD as well. J. Boss stated that the PUD doesn't work without the vacation of the street. The State gave them a time limit for the end of July for site plan approval. This plan is contingent on the street being vacated. Should the street not be vacated, they will not be proceeding with anything else. They have already looked at trying to develop around the street and they couldn't find anything that worked with the grades of the property. T. Michalski stated that this entire project had started before he became a member of the commission. He asked for the history of the project. J. Boss stated that this would be for senior citizens (55+ yrs.). He gave a history of the project. T. Johnson asked if there would be buildings located in the southern portion of McLaren if the street is vacated. J. Boss stated that there would be. The lift station would also be located there. T. Johnson asked if the site plan that Sterling Group is using was different than what Findlay had done. J. Boss stated that it is different. D. Steenhagen showed the commission members the PUD site plan. J. Boss explained the plans for the streets, curbs, sidewalks, water mains, and fire hydrants. P. Sartorius asked if the applicant was willing to sprinkle all the apartments. J. Boss stated that he understands the reasoning for this and they will be sprinkling all of them. T. Johnson asked for an estimate of the setback for the buildings along Wesley. J. Boss stated that it was about 15-20 ft. T. Harryman asked staff if there had been any comments from the neighbors regarding this request. D. Steenhagen stated that there had been comments when Findlay had tried to vacate the street. There weren't any this time.

B. Mazade suggested a condition that McLaren will dead-end into Sumner Ave. T. Johnson suggested a condition that the street would be vacated and once it is rebuilt, it would be redesignated as the City ROW. He asked if the applicant knew what grade that the project would be using. J. Boss stated that he didn't know exactly. They would be using retaining walls to keep the property as flat as possible. J. Aslakson stated that his main concerns have been addressed. The first being the sprinkling of the apartments. The second was he didn't want to see a cul-de-sac for McLaren St. P. Sartorius suggested that approval should be subject to the approval of the PUD. L. Spataro stated that there are too many variables and too many conditions that haven't been ironed out. He didn't feel comfortable approving this at this time. P. Sartorius asked him to be more specific. L. Spataro stated that he needs language they could look at and see all the conditions laid out in order to make sure they aren't missing anything. He felt staff should write the motion with the suggested conditions, so all the commission members will know what they are looking at. T. Harryman stated that this would be a vast change to the neighborhood and he would agree with L. Spataro. J. Aslakson stated that he didn't agree. The only part that troubles him is where to insure that the northern portion of McLaren Street would be constructed and rededicated. He is willing to vacate the southern portion of the street. He feels this should be done at the same time as the PUD approval. J. Boss stated that he would have no problem with any of the conditions that the commission members would propose for them to do. P. Sartorius asked about the deadline from the State. J. Boss stated that there is a deadline for the site plan approval for the end of July. He went through the process that started with Findlay. He is looking for approval of the vacation in order to proceed with the plans for the development. L. Spataro stated that the problem wasn't that the applicant was saying they'd do what is necessary for approval, the commission needs information from the City attorney on how to protect the neighbors. J. Boss stated that they

were looking for an approval for the vacation so they could continue with the site plans. They didn't want to put more money into the project if the street couldn't be vacated. J. Aslakson suggested going ahead with the project plans as if the street were vacated. T. Johnson stated that he would be inclined to recommend approval with conditions. He would agree with the conditions that were proposed by the DPW, Engineering, and Fire departments and add a condition that the north part of McLaren St. and Sumner Ave. would be constructed to code and rededicated as a City ROW. He felt this would be a pretty good safety zone for the neighbors.

A motion to recommend that 274 linear feet of McLaren St. north of Wesley Ave. be recommended to the City Commission for approval with the following conditions: 1) The installation of a new 8" water main between Alva & east line of their property. 2) Construct a new 8" waster main in McLaren from the newly proposed street to the north limits of their property. 3) Construct a new street and dedicated for public use or provide an easement for the would be constructed water main. 4) Participate in the construction of the 8" water main from the north limits of their property to Jackson in the amount not more than \$30,000 with the rest of the cost by the City. 5) The fire hydrant requirements must comply with international fire code appendix C for placement and amount. 6) A written letter from Sterling Group stating that they will be fire suppressing all of the buildings. 7) The City would not maintain a sewer lift station should their project require a station by design. Maintenance of a sewer lift station either individually or collectively would be the responsibility of the owner. 8) The north part of McLaren St. and Sumner Ave. would be constructed to City standards and rededicated to the City as a ROW. 9) Subject to PUD approval, was made by T. Johnson, supported by J. Aslakson with discussion on the motion continuing.

L. Spataro stated that the conditions still don't change his comfort level. He would prefer to wait until they see what the site plan is. He would like to have a motion to review. T. Harryman stated that since the plan is for senior citizens, he would hate to see streets vacated since there should be as much access as possible to them. He is not convinced that the vacation is needed at this time. P. Sartorius stated that he too wasn't comfortable with vacating the street before seeing the site plan. He is in favor of the project.

A motion to that the request to vacate 274 linear feet of McLaren St. north of Wesley Ave. be tabled, was made by L. Spataro, supported by T. Michalski and approved with T. Johnson voting nay.

Cross Lake Ferry – D. Steenhagen informed the commission members that they were invited to attend a press conference on June 26, 2003 at 10:30 at the Muskegon County Club on the deck.

Adjourn

There being no further business, the meeting adjourned at 4:57 p.m.

hmg
6/25/03